

HOUSE STANDING COMMITTEE ON TOURISM, OUTDOOR RECREATION AND NATURAL RESOURCES

308 House Office Building

Tuesday 10:30 A.M.

May 1, 2007

Representative Joel Sheltroun, Chair, called the meeting to order.

Representative Sheltroun requested attendance be called to establish a quorum of the appointed committee members:

Present: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn.

Absent: Representative Casperson.

Representative Stakoe moved to excuse the absent members.

There being no objection, the motion prevailed by **unanimous consent**.

MEMBER ABSENT/EXCUSED: Representative Casperson.

Representative Brown moved to approve the minutes of the **April 24, 2007** meeting.

There being no objection, the motion prevailed by **unanimous consent**.

The Chair laid HB 4463 and HB 4464 before the committee.

HB 4463	Gillard	Watercraft; marinas; issuance of a permit to operate a marina at a public road; require under certain circumstances.
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HB 4464	Gillard	Land use; land division; intention of a plat donation of a road, street, or alley terminating at a lake or stream contiguous to a shoreline; clarify.
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Representative Gillard, sponsor of HB 4463 and HB 4464, explained his bills to the committee. Questions and discussion followed.

Carol Linteau, representing the Michigan Department of Environmental Quality, testified in opposition to **HB 4463 and 4464** as written.

Rodney Stokes, representing the Michigan Department of Natural Resources, submitted a testimony card indicating support for **HB 4463 and HB 4464**.

The following submitted testimony cards in **support of HB 4463**, but did not wish to speak.

Ric Federau, representing the Preserve Our Water Access (POWA)
Hans Huyck, representing Bass Lake
G. Eric May, representing himself
Donna May, representing herself
David M. Scarlett, representing himself
Lee Teichman, representing the Dewitt Landing and Dock Association
Cynthia Reynolds, representing herself
Shelly Liligren, representing herself
James Wincel, representing himself
Vic Teichman, representing himself
Carol Wincel, representing herself
Ronald Huntsman, representing himself
Michael Johnson, representing himself
Kathy Johnson, representing herself
Kelly Huntsman, representing herself
Jim McManus, representing himself
Pat Finkbeiner, representing herself
Jan Legel, representing herself
Jeff Legel, representing himself
Julie Schreck, representing herself
Mary K. Teichman, representing herself
Ray Wantuck, representing himself

The following submitted testimony cards indicating **opposition** to **HB 4463 and HB 4464**.

Susan Mohr, representing herself
Vincent Gebes, representing the Lake Lansing Property Owners Association
Robert Hollenshead, representing the Lake Lansing Property Owners Association
Bill Carey, representing the Higgins Lake Property Owners
Pat Springstead, representing the Higgins Lake Property Owners

The following submitted testimony cards indicating **opposition** to **HB 4463 and HB 4464** and did not wish to speak.

Susan Mohr, representing Dean Ginther, President (Elk Skegemog Lake Association)
Brian Westrin, representing the Michigan Association of Realtors

Representative Ebli moved to adopt **substitute (H-1)** for **HB 4463**.

The motion prevailed by a **vote of 10-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,

Nays: None,

Pass: None.

Representative Walker offered the following amendment to **HB 4463 substitute (H-1)**.

1. Amend page 4, line 26, following line 18, inserting:

“(J) PROVISIONS FOR FEES FOR USE OF BOAT SLIPS AND BOAT HOISTS AT THE MARINA THAT ARE EQUIVALENT TO FEES FOR SIMILAR SERVICES CHARGED AT OTHER MARINAS ON THAT INLAND LAKE OR STREAM OR AT A COMPARABLE INLAND LAKE OR STREAM.” and relettering the remaining subdivision.

Representative Walker moved to adopt the amendment.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,

Nays: None,

Pass: None.

The motion prevailed by a **vote of 10-0-0**.

Representative Walker offered the following amendment to **HB 4463 substitute (H-1)**.

1. Amend page 4, line 26, following line 18, inserting:

“(J) PROVISIONS FOR THE USE OF A LOTTERY TO ALLOCATE THE USE OF BOAT HOISTS AND BOAT SLIPS AMONG RESIDENTS OF THE LOCAL UNIT OF GOVERNMENT IF THE DEMAND FOR THE USE OF THESE FACILITIES IS GREATER THAN THE SUPPLY.” and relettering the remaining subdivision.

Representative Walker moved to adopt the amendment.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,

Nays: None,

Pass: None.

The motion prevailed by a **vote of 10-0-0**.

Representative Horn offered the following amendments to **HB 4463 substitute (H-1)**.

1. Amend page 2, line 26, after “**ROAD**” by striking out “**AND**” and inserting a period.

2. Amend page 2, line 27, after “**SHALL**” by striking out “**SPECIFY**” and inserting “**CONDUCT A SURVEY TO DETERMINE**”.

3. Amend page 3, line 3, after “**PROPERTY.**” By inserting “**IF A SURVEY WAS PREVIOUSLY CONDUCTED AT THE ROAD END AND THE SURVEY STAKES AND DRAWING FROM THAT SURVEY ARE IDENTIFIABLE, THAT SURVEY MAY BE USED TO MAKE THE DETERMINATION UNDER THIS SUBDIVISION.**”.

Representative Walker moved to adopt the amendments.

The motion prevailed by a **vote of 10-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,

Nays: None,

Pass: None.

Representative Horn offered the following amendment to **HB 4463 substitute (H-1)**.

1. Amend page 4, following line 18, by inserting:

“(J) IF FEES ARE TO BE CHARGED FOR THE USE OF MARINA FACILITIES, AN ITEMIZATION OF THE SPECIFIC FEES. FEES ASSESSED SHALL BE USED BY THE LOCAL UNIT OF GOVERNMENT ONLY TO PAY FOR THE INSTALLATION, REMOVAL, AND MAINTENANCE OF DOCKS AND BOAT HOISTS, FOR NECESSARY SURVEYS RELATED TO THE MARINA OR ROAD END, AND FOR LAW ENFORCEMENT ACTIVITIES.” and relettering the remaining subdivision.

Representative Horn moved to adopt the amendment.

The motion prevailed by a **vote of 10-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,

Nays: None,

Pass: None.

Representative Simpson moved to report **HB 4463** as **substitute (H-2)** with recommendation.

The motion prevailed by a **vote of 9-1-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker and Horn,

Nays: Representative Stakoe,

Pass: None.

HB 4463 reported out as substitute (H-2) with recommendation.

Representative Walker moved to adopt **substitute (H-2)** for **HB 4464**.

The motion prevailed by a **vote of 9-1-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, and Horn,

Nays: Representative Stakoe,

Pass: None.

Representative Sheltroun offered the following amendment to **HB 4464 substitute (H-2)**.

1. Amend page 2, following line 23, by inserting:

“(6) SUBSECTION 2 DOES NOT APPLY TO ROAD ENDS THAT ARE OWNED BY THE STATE OF MICHIGAN, OR ROAD ENDS THAT ARE IMMEDIATELY ADJACENT TO PROPERTIES THAT ARE OWND BY THE STATE OF MICHIGAN.”

Representative Ebli moved to adopt the amendment.

The motion prevailed by a **vote of 9-1-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker and Horn,

Nays: Representative Stakoe,

Pass: None.

Representative Simpson moved to report **HB 4464** as **substitute (H-3)** with recommendation.

The motion prevailed by a **vote of 8-2-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Lindberg, Simpson, Walker and Horn,

Nays: Representatives Kathleen Law and Stakoe,

Pass: None.

HB 4464 reported out as substitute (H-3) with recommendation.

The Chair laid HB 4597 before the committee.

HB 4597 Gillard Natural resources; hunting; promotion of; provide for on department of natural resources controlled land.

Representative Gillard explained his bill to the committee.

Rodney Stokes, representing the Michigan Department of Natural Resources, submitted a testimony card indicating support for **HB 4597**.

Representative Sheltroun offered the following amendment.

1. Amend page 1, line 2, after “**PRESERVE**” by striking out “**OTHER** lands and” and inserting “lands and **OTHER**”.

Representative Hammon moved to adopt the amendment to **HB 4597**.

The motion prevailed by a **vote of 10-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,
Nays: None,
Pass: None.

Representative Brown moved to report out **HB 4597** as substitute (**H-1**) with recommendation.

The motion prevailed by a **vote of 10-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Walker, Stakoe and Horn,
Nays: None,
Pass: None.

HB 4597 reported out as substitute (H-1) with recommendation.

There being no further business to come before the committee, the **Chair** adjourned the meeting, the time being **11:30 a.m.**

Representative Joel Sheltrown, Chair

Dave Mead
Committee Clerk
May 1, 2007
60 minutes

Date Approved and Signed